

Remarks/Arguments

Claims 1-21 are pending. Claims 12-16 have been amended. As the amendments do not require further search or consideration, Applicant requests that they be entered. Reconsideration of this application in light of the above amendments and the following remarks is requested.

Rejections under 35 U.S.C. § 101

Claims 12-16 have been amended to address the rejection under 35 U.S.C. § 101.

Rejections under 35 U.S.C. § 103(a)

Claims 21-30 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,122,630 to Strickler ("Strickler") in view of U.S. Patent No. 5,661,803 to Cordery ("Cordery").

As provided in MPEP § 2143, "[t]o establish a prima facie case of obviousness, ... the prior art reference (or references when combined) must teach or suggest all the claim limitations." Furthermore, under MPEP § 2142, "[i]f the examiner does not produce a prima facie case, the applicant is under no obligation to submit evidence of nonobviousness." It is submitted that the Office action does not factually support a prima facie case of obviousness based on the combination of Strickler and Cordery for the following reasons.

Claims 1-6

Claim 1 recites, in part, each record having a corresponding authentication token and a validation token, the method including initiating the audit trail by generating an initial value of an authentication token and an initial value of a validation token based on a first encryption key of a first type (writer public key) generated by the writer and a second encryption key of the first type generated by each Auditor (auditor public key).

The Office action relies on Fig. 6 of Strickler to render obvious the portion of claim 1 reciting "initiating the audit trail by generating an initial value of an authentication token and an initial value of a validation token." To accomplish this, the Office action states that "[t]he 'auditor' ... is met by consumer (38 in Fig. 2). The 'writer' ... is met by unit 54 (Fig. 2)." However, claim 1 requires that each record has a corresponding authentication token and a validation token. Strickler clearly teaches that the consumer 38 only generates a TRANID for a record created or modified by the consumer and the unit 54 only generates a TRANID for a record created or modified by the unit (see, e.g., col. 12, lines 6-53). For example, Stickler states that "the audit trail B includes an intermixture of transactions having TRANIDs assigned by the transaction identifier generator B (as a result of being posted to the database B by the consumer B) and transactions having TRANIDs not assigned by the transaction identifier generator B because they were locally posted directly to the database B." (col. 12, lines 43-49). Accordingly, the cited text and figures of Strickler do not teach or suggest creating authentication token and a validation token for each record, and the consumer 38 and unit 54 of Strickler do not operate in the manner required by claim 1. Furthermore, combining the cryptographic key disclosed in Cordery with Strickler fails to teach or suggest this element, as Strickler still generates a single TRANID from either the consumer 38 or the unit 54 to track a particular entry.

Accordingly, the combination of Strickler and Cordery fails to teach or suggest all the claim limitations of claim 1 as required by MPEP § 2143, and claim 1 is allowable over the cited references. Claims 2-6 depend from and further limit claim 1 and are therefore allowable for at least the same reason as claim 1.

Claims 7-11

Claim 7 recites, in part, integrating into each record a corresponding value of a validation token generated based on a first pair of public-private encryption keys generated by the writer and a second pair of public-private encryption keys generated by the auditor.

As described above with respect to claim 1, the combination of Strickler and Cordery fails to teach or suggest this element of claim 7 because Strickler clearly teaches that the consumer 38 only generates a TRANID for a record created or modified by the consumer and the unit 54 only generates a TRANID for a record created or modified by the unit (see, e.g., col. 12, lines 6-53). Furthermore, combining the cryptographic key disclosed in Cordery with Strickler fails to teach or suggest this element, as Strickler still generates a single TRANID from either the consumer 38 or the unit 54 to track a particular entry.

Accordingly, the combination of Strickler and Cordery fails to meet the standard presented by MPEP § 2143, and claim 7 is allowable over the cited references. Claims 8-11 depend from and further limit claim 7 and are therefore allowable for at least the same reason as claim 7.

Claims 12-21

Independent claims 12 and 17 include elements similar to those of claim 7 and are allowable for at least the same reason as claim 7. Claims 13-16 and 18-21 depend from and further limit either claim 12 or 17, and are therefore also allowable.

Conclusion

Accordingly, Applicant respectfully submits that independent claims 1, 7, 12, and 17 are in condition for allowance. Dependent claims 2-6, 8-11, 13-16, and 18-21 depend from and further limit their respective independent claims and are also in condition for allowance. Should the Examiner have any further comments, the Examiner is invited to contact the Applicant at the below listed number.

Respectfully submitted,

Timothy F. Bliss

Timothy F. Bliss
Registration No. 50,925

Dated: March 21, 2005
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 972/739-8638
File: 26530.22
R-101821_1.DOC

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 21, 2005.

Gayle Conner

Gayle Conner